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| 10/511,472 | 09/22/2005 | Francois Gratien | 403210/WEINSTEIN | 4720 |
| 23548 7590 06/27/2008 LEYDIG VOIT & MAYER, LTD 700 THIRTEENTH ST. NW SUITE 300 WASHINGTON, DC 20005-3960 | | | | |
| EXAMINER TAOUSAKIS, ALEXANDER P | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 3726 | | | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/511,472

Applicant(s)

GRATIEN ET AL.

Examiner

ALEXANDER P. TAOUSAKIS

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Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 February 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6 and 8-12 is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Hess et al (USPN 4,620,354).

1.

Hess et al teaches an apparatus for applying weather stripping (10) to a motor vehicle body, the body having an elongated receiving surface with a profile, the weather stripping (10) comprising a thin wing having a bonding surface corresponding to the receiving surface and a hollow longitudinal tube connected to the wing (*see Figure 3*), the apparatus comprising: an application plate (38) for application of the bonding surface of the weather stripping (10) to the receiving surface; means for pressing (32) the weather stripping (10) against the receiving surface (*see Figure 4*); means for guiding (48) the application plate (38) over a trajectory along the profile of the receiving surface (*see column 2 lines 38-42*); and guide means comprising first means of referencing the body of the vehicle with respect to the apparatus, wherein the guide means comprises programmable articulated mechanical means (35)

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for displacing the application plate (38) and means for programming the articulated mechanical means (35) to adapt the trajectory of the application plate (38) to different profiles corresponding to different vehicles (*see column 2 lines 32-68, and note that the robot/articulated mechanical means 35 is programmed for the various tasks it accomplishes during the installation process*).

2. Hess et al teaches an application plate (38) that is selectively connected to/disconnected from the articulated mechanical means (35) (*see Figures 1 and 2 and note that application plate (38) is integral with end effector (32), which is selectively removable from arm (34) of articulated mechanical means (35) through a plurality of bolts*).

3.

Hess et al teaches the apparatus according to claim 1 wherein the means for pressing the weather stripping (10) includes a second actuator which selectively forces the application plate (38) towards the receiving surface (*see Figure 4, and note that sensor 48 determines the profile of the receiving surface to determine the required parameters (i.e. force, pressure), therefore selectively forces the application plate depending on the location of the receiving surface relative to the weather stripping*).

4.

Hess et al teaches the apparatus according to claim 2, wherein the application plate (38) comprises a support (42) and an application roller (41) (*see Figure 4*) for application of the

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weather stripping (10) to the receiving surface (13), the application roller (41) rolling on a rolling surface of the thin wing on a side of the wing opposite the bonding surface (*see Figure 4*).

5.

Hess et al teaches the apparatus according to claim 4, wherein the application roller (41) rotates freely with respect to the support (42) and is rotated by a drive element (30) carried by the articulated mechanical means (35).

7.

Hess et al teaches the apparatus according to claim 4, wherein the application plate (38) comprises second means of referencing (43) for positioning a downstream end of the weather stripping in a predetermined reference position with respect to the application roller (*see Figure 5 and column 2 lines 25-29*).

Allowable Subject Matter

Claims 6 and 8-12 allowed.

Response to Arguments

Applicant's arguments filed 2/29/2008 have been fully considered but they are not persuasive.

Claims 1-5 and 7:

Applicant argues that Hess fails to teach a programmable articulated mechanical means and a means for programming the articulated mechanical means, stating that the sensor 48 mounted to the end effector is not programmed. This is not found persuasive because the sensor 48 is programmed to move the end effector a certain amount depending on its location and the location of the door opening. The programming of the sensor determines how the sensor interprets its measurements, and how far and in what direction the end effector will move.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALEXANDER P. TAOUSAKIS whose telephone number is (571)272-3497. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bryant can be reached on (571) 272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Alexander P Taousakis
Examiner
Art Unit 3726

/A. P. T./
Examiner, Art Unit 3726

/David P. Bryant/
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